

# **EXHIBIT C**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF EDUARDO E. BRUNO**

I, EDUARDO E. BRUNO, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I entered into active duty becoming a member of the United States Army on November 14, 1994, proudly serving our country until receiving an honorable discharge from active military service on June 24, 2008. I received The Purple Heart for wounds received as a result of hostile actions, and the Soldier's Medal for heroism during the terrorist attack at the Pentagon on September 11, 2001. Attached as **Exhibit A** to this Declaration is a true and correct copy of Permanent Orders from the Department of the Army, dated September 19, 2001, announcing my being awarded the Purple Heart. Attached as **Exhibit B** to this Declaration is a true and correct copy of Permanent Orders from the Department of the Army, dated October 4, 2001, announcing my being awarded the Soldier's Medal. As described in further detail below, the only reason for my

retirement is that I became permanently disabled due to the traumatic psychological and physical injuries I sustained as a direct result of the terrorist attack at the Pentagon on September 11, 2001.

3. Born in Columbia, I became a citizen of the United States on September 23, 2005, and remain so today. Attached as **Exhibit C** to this Declaration is a true and correct copy of my Certificate of Naturalization as proof of citizenship.

4. On September 11, 2001, when the terrorist attack on the Pentagon occurred, I was working as a Personnel and Administrative Sergeant for the U.S. Army / Office of the Administrative Assistant to the Secretary of the Army, and was present in my office, Room 1E517 in Wedge 2, located on the first floor of the Pentagon, 1400 Defense Pentagon, Washington, D.C.

5. I reported to work that morning, and was sitting at my desk tending to paperwork in Room 1E517 when I became distracted overhearing a news report from a nearby radio. The news report stated an airplane had struck one of the World Trade Center Towers in New York. My initial thought was it had to be a phony report, a morning radio-show hoax; very quickly, I realized the inevitable – it was real, and it would be the first of multiple terrorist attacks that day. I tried calling New York, my home, to check on my family and fiancée, but was unsuccessful in my attempts using the landline office phone and then my cell phone.

6. I began discussing the nightmare unfolding in New York City with a couple of co-workers – Sergeant Roxane Cruz (“Roxane”), who was on duty at the time, and April Gallop (“April”), who was off duty in the office attending to personal matters with her two-month-old son, Elisha. Suddenly, I felt the building shake and heard what I believe today to have been jet engines roaring.

7. There was an explosion. In an instant, while standing it felt as if something slammed into me, hitting me in the back and sending me backwards through a wall into the next room causing me to lose consciousness.

8. When I regained consciousness, I began choking with my lungs burning from the inside out. My lungs were breathing what I would find out was jet fuel fumes from American Airlines Flight 77. The unrelenting heat and fire burning around me was indescribably intense. Pain coursed throughout my whole body, and I could feel blood streaming down my face. I could not move; giant slabs of concrete, metal, wires and other debris from the floors above had fallen on top of me, pinning me against the ground. As I tried to comprehend what was happening, at that time I questioned whether a bomb had been detonated.

9. I began hearing screams and cries for help. Flames from the fire provided a faint bit of light, negated by thick smoke. I tried to free myself from where I lay trapped but the weight of debris and rubble piled on top of me was too great. I knew oxygen was running out as I felt my heartbeat pounding faster and faster. I felt like crying as I started to accept that this was it, sad I was going to die. I closed my eyes and thought of my loved ones, my fiancée and son, my mom, none of who I would be able to say goodbye to.

10. As I lay there trapped, overcome by feelings of helplessness and despair, I heard my name among the cries for help – it was the voice of my comrade, my friend, Roxane, her voice distraught with pain. I called out letting Roxane know I was alive, and she answered that she too was stuck, unable to move, buried under debris. In that moment, I made the decision that if I was going to die, I would die fighting. Mustering every ounce of strength I could, I began shifting my body from side to side trying to escape from the debris – my efforts ceasing multiple times as I

choked on the dense smoke. Eventually, I managed to free myself. I yelled to Roxane that I was free and on my way to her.

11. Following the sound of Roxane's voice I crawled over the massive amounts of debris strewn everywhere to find her pinned under a wall; I wedged myself between Roxane and the wall, using my legs to move the wall just enough to allow me to pull her out. It was then that I noticed other survivors crawling out from the rubble and debris – some so badly burned and disfigured, some with flesh hanging from their faces - the images retain a permanent, disruptive presence in my mind. Free from the debris, Roxane and I discovered April was also alive and frantically searching for her infant son, Elisha. The explosion blew him out of his stroller. We calmed April down enough to focus on the search and joined in looking for her missing child.

12. When April found Elisha, he did not look good; the two-month-old baby was not moving or crying. In order to rescue Elisha from where April found him, Roxane had to crawl to April for April to hand Roxane the baby, for Roxane to then crawl to me and hand me Elisha. The conditions had become dire, and both Roxane and I knew we had to get out of there; we yelled to the other survivors around us to follow us. Taking Elisha's tiny limp body cradling it in my arms, I secured him up against my body, and crawled toward what I thought was sunlight peeking through a portion of rubble and debris. Roxane covered the rear to ensure no survivors ended up left behind as some of them were in shock with no idea of what to do.

13. I finally reached the sunlight to find a blown out window in the E Ring outer wall of the Pentagon. I yelled out the would-be window to people gathered outside, and handed baby Elisha down to a man who had come running over to help. That blown out window was how I and the other survivors in our group managed to escape with our lives that day. My office, Room 1E517 in Wedge 2 of the Pentagon, would later become known as the "impact area."

14. After everyone in our newly formed group had escaped safely, I teamed up with other soldiers to perform search and rescue, and headed back in to help find and extract more survivors. At some point, a medic noticed my injuries and stopped me from continuing search and rescue; I was brought to a triage site where I was placed on a stretcher, and put in an ambulance to Alexandria Hospital. Before I left, I confirmed that Elisha managed to survive.

15. The scene at the hospital was total chaos. I received treatment for my head, back, and knee injuries, as well as several abrasions, and received diagnoses of (1) acute head injury with loss of consciousness, (2) post-concussive headache, (3) acute low back injury, and (4) acute right leg injury. I suffered an open scalp laceration to my head, accompanied by a pounding headache, nausea, coughing, abdominal pain, back pain, and knee pain. The hospital wanted to keep me for observation due to the severity of my injuries and related symptoms, but after receiving sufficient-enough medical treatment I insisted on being discharged in order to make a hospital bed available for at least one of the seemingly endless number of victims requiring medical care who might have needed it more than I did.

16. Upon leaving Alexandria Hospital, I went to Fort Meyers for recovery, confined to a bed for several days before driving up to New York through the pain in order to reunite with my family.

17. As a result of this terrorist attack, on September 11, 2001, I suffered, and continue to suffer from, the specific injuries as described in each of the Paragraphs herein. The resulting diagnoses specifically include Posttraumatic Stress Disorder with generalized anxiety disorder; traumatic brain injury with associated severe migraine headaches; right knee strain/condition, status post medial meniscus tear; sprain/strain of the lumbar spine with degenerative disc disease; and radiculopathy of the right lower extremity.

18. Following September 11, 2001, at first, I did not notice immediate psychological symptoms until about two months later when I began to realize I was suffering severe mood swings, recurrent nightmares, social isolation, depression and forgetfulness. During that time, I received crisis counseling while at work. I had seen a social worker shortly after 9/11, but did not return or seek further treatment because I thought I was fine. I thought that over time, things would get better, but the getting better never came. I tried to push the haunting images out of my mind and pretended I was ok, not wanting others to stress over my condition; but the more time passed, the worse it became.

19. I was having incredible difficulty completing my assignments at work, unable to concentrate or focus on the simplest tasks, my attention span was/is drastically shorter than before 9/11 and I am easily distracted. Reading even became a challenge as I found myself unable to retain information or remember what I had read, oftentimes needing to read something three or four times to understand it. I became increasingly irritable and resentful, and have a significantly short temper, especially in comparison to who I was prior to September 11, 2001.

20. During my visit to the Brooklyn VA Hospital on January 21, 2004, I requested to speak with a counselor. I was referred to psychology, and started counseling on January 27, 2004, receiving treatment through the PTSD Program once a week for individual exploratory/supportive therapy and post trauma education. It was during my initial counseling appointment on January 27, 2004, that I was found to meet the criteria for PTSD, and it was directly related to my experience on September 11, 2001. Attached as **Exhibit D** to this Declaration are true and correct copies of relevant excerpts from my medical record from the Brooklyn VA Hospital, dated January 27, 2004. On February 24, 2004, I attended a psychiatric evaluation at the Brooklyn VA Hospital, and given an initial diagnosis of Anxiety Disorder, PTSD, chronic.

21. There was one night, after September 11, 2001, I was driving on the New Jersey Turnpike passing Newark Airport and I saw a commercial jet approaching to land in the corner of my eye. The lights on the landing gear flashed, as per usual, but for some reason those flashing lights acted as a trigger inside me – to me it was an explosion and the plane was going to hit me. Driving at around 65 M.P.H., my brain and body reacting to the trigger, I abruptly turned the car's steering wheel trying to escape from the airplane, crashing into the highway divider.

22. No matter how much time passes, I relive moments from 9/11 at some point of my day every single day. Nightmares and flashbacks of the chaos, screams for help, and even the smell of burning flesh continue to haunt me. I often think of my comrades and friends I lost that day – many of whom are either the deceased whose bodies I saw and walked over, or surviving victims I witnessed emerging from rubble during my escape from the Pentagon – and become depressed, going through my days with highs and lows similar to that of a roller coaster. One woman I carried out of the Pentagon destruction, how her flesh and parts of her dress stuck to my hands, is permanently etched into my brain.

23. In a recurrent dream, I find myself in the midst of a burning building with dead bodies scattered everywhere, burning. The dream is so real, I can smell the burning bodies; I see myself burning. I hear a lot of screaming, and the sound of myself choking on smoke. When I wake up, I am screaming and choking, trembling. I often cannot go back to sleep after, afraid of being attacked and burning to death. Even now, giving a verbal narrative of the recurrent dream, I am reminded of the stench of dead bodies burning as if it were happening in real time in front of me.

24. As psychiatrist Masood Mirza described in his progress notes dated August 15, 2005, I suffer from a “deep psychological wound from the overwhelming life-threatening incident



on Sept. 11. He has intrusive recollection and re-experiencing of the trauma with survival guilt component.” Attached as **Exhibit E** to this Declaration is a true and correct copy of Masood Mirza’s Progress Notes dated August 15, 2005.

25. Symptoms of PTSD and depression vary from individual to individual, each diagnosed person suffering in different ways. For me, my PTSD and Depression manifest in the following forms: flashbacks; anxiety; indecisiveness; social withdrawal; irritability; mood swings; rage; memory loss; sleep impairment; frequent intrusive nightmares and recollections of 9/11 which include images and the smell of burning bodies; concentration difficulties; forgetfulness; problems focusing and paying attention; insomnia; avoidance; increased arousal on exposure to 9/11 related stimuli; loss of interest; survivors guilt; hopelessness; and social withdrawal.

26. Since the attack, every little or loud noise startles me. Carrying out normal human interactions with my wife and two children is incredibly challenging for me. It is nearly impossible for me to show affection toward my wife. I no longer enjoy socializing. I avoid going out in the open, and constantly look to the sky for a possible attack. I actively try not to think about 9/11; I actively avoid anything or any situation that reminds me of that day – anything that reminds me triggers a response of fear and anxiety. Driving by Ground Zero on my commute to and from work used to induce emotional distress; similarly, a visit to my old office in Washington, D.C., induced a severe episode of emotional distress.

27. The injuries to my lumbar spine and right knee continue to cause me to suffer severe chronic low back pain, the pain often radiating down to the back of my right knee with associated numbness; intermittent paresthesia with post thigh numbness; and tenderness and spasm of the lumbar muscles. Seeking relief, chiropractors and physical therapists failed to provide any relief of my symptoms; referred to pain management I started receiving Cortisone injections in the

painful scarred area of my lumbar spine. Ever since 9/11, bending, driving, and ascending and descending stairs are all incredibly difficult, as well as sitting or standing for long periods of time; when I do perform these activities, they often exacerbate the pain making it worse. Per doctors' orders, I am also unable to lift objects weighing over forty pounds; being a soldier, before being injured in the terrorist attack, I was required to carry my gear, while marching, and carry more than forty pounds on a regular basis.

28. Suffering from a traumatic brain injury with associated severe migraines, I endure debilitating headaches between two to four times a week, since September 11, 2001. Sometimes, these migraines/headaches last the entire day. Due to this and the other traumatic injuries I sustained in the Pentagon attack, I am unable to perform many physical tasks with consistency.

29. It is because of the devastating traumatic physical and mental injuries I suffered as a result of the attack on the Pentagon on September 11, 2001, that I had no other option but to seek an honorable discharge from the U.S. Army and retire, rather than live out my dream of a life-time career in the military. The results of a vocational evaluation performed on December 12, 2005, indicate my vocational capacity as being "so compromised due to his physical, emotional, and cognitive impairments that he cannot perform work requiring even sedentary physical demand on a sustained basis." Attached as **Exhibit F** to this Declaration is a true and correct copy of excerpts from a Vocational Evaluation performed by OAS, dated December 12, 2005.

30. Due to the injuries I sustained on September 11, 2001, I was forced to seek retirement due to permanent disability and was honorably released/discharged from active military service on June 24, 2008. Attached as **Exhibit G** to this Declaration is a true and correct copy of my Certificate of Release or Discharge from Active Duty.

31. As determined by the Department of Veterans Affairs, I am totally and permanently disabled due solely to my service-connected disabilities, all of which injuries are causally related to the terrorist attacks on September 11, 2001. Attached as **Exhibit H** to this Declaration is a true and correct copy of a letter summary of benefits from the Department of Veterans Affairs, dated May 18, 2017.

32. Attached as **Exhibit I** to this Declaration is a true and correct copy of a letter from the Department of Veterans Affairs detailing my service connected conditions, dated May 4, 2017.

33. In addition to medical records already referenced herein, attached to this Declaration as **Exhibit J** are true and correct copies of my medical records related to treatment for my causally related injuries received following the September 11, 2001 terrorist attack.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 30 day of January 2020.

  
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EDUARDO E. BRUNC

# **Exhibits Filed Under Seal**